

## **REMARKS**

The present response is to the Office Action mailed in the above-referenced case on May 19, 2008. Claims 17-22 and 31-36 are pending in the application.

### **Rejection under 35 U.S.C. 112**

Claims 32 and 35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

#### **Examiner's rejection**

The recitation of claim 32 is vague and indefinite because when taking the combination of claims 31 and 32 together, it is unclear of how the limitation of "except for ... data packet" recited in claim 31, lines 5-7 is to be carried out since there is now only one bad control word to determine becoming unsynchronized. That is, how the synchronized data packet can separate one bad control word? Similar problem exists for the recitation of claim 35.

#### **Applicant's response**

Applicant herein amends claim 31 to recite; "receiving a threshold number of bad control words from the serial lines connected to the second device, except for a single condition that any bad control word received in the threshold number either immediately precedes or immediately follows a synchronized data packet." Applicant believes the claim, as amended, is now grammatically clear when depending claims 32 and 35 are applied. Applicant also believes the claim has not undermined the patentability offered by the Examiner. Therefore, applicant believes the 112 rejection should be removed and claims 32 and 35 are patentable over the art, as stated in item 5 of the Office Action.

### **Allowable Subject Matter**

Claims 17-22, 31, 33, 34 and 36 are allowed.

### **Summary**

All of the claims, as amended and presented for Examination are indicated as allowable by the Examiner. It is therefore respectfully requested that this application be reconsidered and that this case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this amendment, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully submitted  
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